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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,779	02/23/2004	Hitoaki Owashi	500.34521CC3	5490
24956 7590 04/09/2008 MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C. 1800 DIAGONAL ROAD SUITE 370 ALEXANDRIA, VA 22314				
EXAMINER DUNN, MISHAWN N				
ART UNIT		PAPER NUMBER		
2621				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/782,779

Applicant(s)

OWASHI ET AL.

Examiner

MISHAWN DUNN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 2-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Young (US Pat. No. 5,727,060).
2. Consider claim 2. Young teaches a receiver apparatus for a digital signal comprising: a receiver which receives a plurality of programs with discrimination information and guide information regarding said programs, wherein said programs are time-division multiplexed into a plurality of data packets and said guide information indicates the contents of said programs; a selector which selects a program from said programs received by said receiver based on the discrimination information; a data former which forms guide information regarding the selected program from the received guide information regarding said programs, the formed guide information indicating the contents of the selected program; and an output device which outputs the selected program and the formed guide information in a plurality of data packets (col. 17, line 13 - col. 18, line 63; figs. 1, 21, and 22A-B).
3. Consider claim 3. Young teaches a receiver apparatus for a digital signal comprising: a receiver which receives a plurality of programs with discrimination information and guide information regarding said programs, wherein said programs are time-division multiplexed into a plurality of data packets and said

guide information indicates the contents of said programs; a selector which selects a program from said programs received by said receiver based on the discrimination information; a data former which forms guide information regarding the selected program from the received guide information regarding said programs, the formed guide information indicating the contents of the selected program; an output device which outputs the selected program and the formed guide information in a plurality of data packets to a recording/reproducing device; an input device which inputs said selected program and said formed guide information reproduced by the recording/reproducing device; and a decoder which decodes said selected program input by said input device based on said formed guide information input by said input device (col. 17, line 13 - col. 18, line 63; figs. 1, 21 and 22A-B).

4. Consider claim 4. Young teaches a receiver apparatus according to claim 2, wherein said formed guide information indicates at least a title of said selected program (fig. 1).
5. Consider claim 6. Young teaches a receiver apparatus according to claim 4, wherein said formed guide information indicates an identification of packets of the selected program (fig. 1).
6. Consider claim 9. Young teaches a receiver apparatus according to claim 3, wherein said formed guide information indicates at least a start-time of the selected program (fig. 1).

7. Consider claim 10. Young teaches a receiver apparatus according to claim 3, further comprising: a display which displays said selected program decoded by said decoder (col. 17, lines 28-30; figs. 22A-B).

8. Consider claim 16. Young teaches a receiver apparatus comprising: receiver means for receiving a plurality of programs transmitted in a form of a packet multiplexed on one carrier and first program guide information of said plurality of programs; selecting means for selecting a desired program in accordance with said first program guide information; decryption means for decrypting a program selected by said selection means; separating means for separating the program selected by said selecting means from said plurality of programs received by said receiver means; program guide information editing means for editing said first program guide information into a second program guide information regarding the program selected by said selecting means; and output means for outputting the second program guide information edited by said program guide information editing means together with said program separated by said separating means, wherein said program guide information editing means editing the first program guide information for each of said plurality of programs into said second program guide information, wherein said first program guide information for each program including program discrimination information of the each program, packet discrimination information for a video signal in the each program, packet discrimination information of an audio signal in the each program and program start time information of the each program, and wherein said edited second program guide information including program discrimination

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information of a program selected by said selecting means, packet discrimination information of a video signal in said selected program, packet discrimination information of an audio signal in said selected program and program start time information of said selected program (col. 10, line 48 - col. 11, line 67; col. 17, line 13 - col. 18, line 63; figs. 1, 13, 21 and 22A-B).

9. Consider claim 17. Young teaches a receiver apparatus according to claim 16, wherein said packet discrimination information of the second program guide information is the same as the packet discrimination information of said first program guide information (figs. 1 and 13).

10. Consider claim 18. Young teaches a receiver apparatus according to claim 16, wherein said first program guide information and said second program guide information include title information of the program (figs. 1 and 13).

11. Consider claim 19. Young teaches a receiver apparatus according to claim 16, wherein said program guide information editing means converts table information included in said first program guide information into table information included in said second program guide information (figs. 1 and 13).

12. Claims 5, 7, 8, and 11-15 are rejected using similar reasoning as the corresponding claims above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MISHAWN DUNN whose telephone number

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is (571)272-7635. The examiner can normally be reached on Monday - Friday 7:30 aM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MISHAWN DUNN/
Examiner, Art Unit 2621
March 30, 2008

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621